

SUMMARY -- HB 163

"The Fair Influence on Government Act"

- (1) Establishes that public funds and other public resources cannot be used for legislative lobbying and influencing purposes unless specifically authorized by appropriation. (Section 1)
- (2) Disallows state or local public employees from lobbying or otherwise attempting to influence the course of legislation, *while on public time*, unless a written request is made by any legislator for that person to appear before a committee for informational purposes on a specific bill. (Section 1)
- (3) All elected officials and employees of the legislature are exempted. (Section 1)
- (4) This prohibition only applies when employed on public time and/or using public resources. Public employees are not in any manner restricted from influencing legislation as private citizens, on their own time. (Section 1)
- (5) Enforcement of these provisions is through the county attorneys. (Section 4)
- (6) Non-compliance is a violation of public trust, carrying a fine of \$50 to \$1,000. (Section 5)

COMMENTS: The Legislature is designed to be the branch of government closest to the people, where citizens may have a genuine influence on the lawmaking process. As stated in the bill's preamble, citizens have become progressively crowded out of their own process, as the preponderance of influence in our hallways and committee hearings has shifted to the paid employees of government itself. The important informational role of agency staff and other public employees is readily acknowledged, as is the right of all public workers to exercise their rights as private citizens. But the legislative process should never become dominated by another branch of government (executive.) This is unseemly, undemocratic, and raises questions of separation of powers. HB 163 helps restore a proper balance to our legislative process, thus rebuilding the people's confidence in the people's branch of government.